

REMARKS

The non-final Office Action mailed November 30, 2005 has been received and reviewed.

Applicants have amended claims 52, 64, 74 and 92 by this amendment.

THE SECTION 112 REJECTION

Claims 52-73 were rejected under 35 U.S.C. §112(2) as being indefinite. The Examiner indicated that claims 52 and 64 were confusing regarding the use of the term “at least partially” in association with the control signal controlling the output of the welding power source. Claims 52 and 64 have been amended to clarify that the power supply controller generates a power control signal that at least partially controls a welding parameter of the welding power source. One non-limiting embodiment is illustrated in FIGURE 1 wherein the power supply 100 is receiving an input from both the power supply controller (e.g., function generator) 90 via line 92 and WFS selector 10 via line 12. FIGURE 1 also illustrates that the sole input to the power supply controller (e.g., function generator) 90 can be from the WFS selector 10 via line 12. This simplified control circuit does not include any feedback control of the power supply during the operation of the welder.

The Examiner also stated that the power supply cannot be solely controlled by the power supply controller. Claims 52 and 64 have been amended to clarify that the output of the power supply controller during operation of the power supply is solely a function of the control signal. This arrangement is illustrated in FIGURE 1. As previously stated, this simplified control circuit does not include any feedback control of the power supply during the operation of the welder.

Applicants submit that all the pending claims are in proper form pursuant to 35 U.S.C. §112(2).

THE SECTION 102 REJECTION

Claims 74, 77, 81, 92 and 98 were rejected under 35 U.S.C. §102(b) as being anticipated by

GB 1410870. As illustrated in FIGURE 1 of the GB reference, the power supply is at least partially controlled by a feed back signal received from line 17'. The power source defined in the pending claims is not controlled by any type of feed back signal. For this reason alone, the pending claims are not anticipated or made obvious from the GB reference.

The GB reference does not disclose, teach or suggest that the same signal that is used to control the WFS is the same signal that is used by the power supply controller to generate a power control signal and that the power control signal is solely a function of the signal that is used to control the WFS. For this additional reason, independent claims 52 and 64 and all the claims dependent therefrom are not anticipated or made obvious from the GB reference.

The GB reference also does not disclose, teach or suggest that the same signal that is used to control the WFS is the same signal that is used by the power supply controller in combination with a control signal that indicates type of shielding gas, type of consumable electrode, and/or size of a consumable electrode to generate a power control signal and that the power control signal is solely a function of the signal that is used to control the WFS and the signal used to indicate type of shielding gas, type of consumable electrode, and/or size of a consumable electrode. For this additional reason, independent claims 74 and 92 and all the claims dependent therefrom are not anticipated or made obvious from the GB reference.

THE SECTION 103 REJECTION

Claims 52, 54, 55, 57, 59, 62, 64-66, 70, 73, 76, 79, 84, 86, 87, 90, 93, 96, 100, 102, 104, 106 and 108 were rejected under 35 U.S.C. §103(b) as being unpatentable over the GB reference. Claims 53, 56, 58, 60, 61, 63, 67, 69, 71, 72, 75, 78, 80, 82, 83, 85, 88, 89, 91, 95, 97, 99, 101, 103, 105, 107 and 109 were rejected under 35 U.S.C. §103(b) as being unpatentable over the GB reference in view of Nakajima.

As set forth above, the GB reference discloses the use of feedback to control the power supply. This arrangement is contrary the welder and method of welding defined in the pending claims. Nakajima also teaches the use of a feed back circuit 10 to control the operation of the power supply. For at least this reason, none of the pending claims are obvious in view of the GB reference and Nakajima.

Nakajima, like the GB reference, does not disclose, teach or suggest that the same signal that is used to control the WFS is the same signal that is used by the power supply controller to generate a power control signal and that the power control signal is solely a function of the signal that is used to control the WFS. For this additional reason, independent claims 52 and 64 and all the claims dependent therefrom are not obvious in view of the GB reference and Nakajima.

Nakajima, like the GB reference, also does not disclose, teach or suggest that the same signal that is used to control the WFS is the same signal that is used by the power supply controller in combination with a control signal that indicates type of shielding gas, type of consumable electrode, and/or size of a consumable electrode to generate a power control signal and that the power control signal is solely a function of the signal that is used to control the WFS and the signal used to indicate type of shielding gas, type of consumable electrode, and/or size of a consumable electrode. For this additional reason, independent claims 74 and 92 and all the claims dependent therefrom are not obvious in view of the GB reference and Nakajima.

Applicants submit that the claims presently pending in the above-identified patent application are in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,

FAY, SHARPE, FAGAN, MENNICH & McKEE

By:

BRIAN E. TURUNG
Reg. No. 35,394
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
Telephone: (216) 861-5582
Facsimile: (216) 241-1666